15th December 1954] [Mr. Speaker]

" இந்த இடத்தில் அந்த சம்மனை அங்கத்தினருக்கு serve பண்ணக் கூடாது. அப்படிச் செய்வது தவறு. சப்-மாஜிஸ்ட்ரேட் எனக்கு அதை அனுப்பியதே தவறு என்று சொல்லி, அதை நான் சர்க்கார்க் கட்சித் தலைவரிடம் கொடுத்திருக்கிறேன். இதுமாதிரி சப்-மாஜிஸ்ட்ரேட்டுகள் சம்மன்களை எனக்கு அனுப்பி அங்கத்தினர்களுக்கு சேர்ப்பிக்கும்படி கேட்டுக் கொள்வதே தவறு என்பதை எல்லா சப்-மாஜிஸ்ட்ரேட்டுகளுக்கும் அறிவிக்கும்படியாக நான் சர்க்கார் கட்சித் தலைவரை கேட்டுக்கொண்டிருக்கிறேன்."

SRI K. T. RAJU :—" இதைத் தெரிந்துகொள்வதற்காகத்தான் நான் உங்களைக் கேட்டுக்கொண்டேன். அதற்கு என்னுடைய நன்றி."

(3) SETTLEMENT OF AN ISSUE BY HON. MEMBERS BY DUEL.

MR. SPEAKER :—" Incidentally I wish to bring to the notice of the House that a few days ago the Hon. the Minister for Health told Mr. Vinayakam and Mr. Deivasigamany to settle a matter which came before the House by a duel. But I must tell the House ' challenging members to fight on account of their behaviour in the House or any committee thereof ' is a breach of privilege."

THE HON. SRI C. SUBRAMANIAM :—" It was not intended to be a challenge. It was a friendly suggestion."

MR. SPEAKER :—" I know that the Hon. Minister was not serious but I must tell the House ' challenging members to fight on account of their behaviour in the House or any committee thereof ' is a breach of privilege. I appeal to Mr. Vinayakam and Mr. Deivasigamany not to take the advice of the Hon. Minister seriously.

" It would interest the House to know that on 25th May 1798, Mr. Tierney, the Leader of the Opposition, challenged Mr. Pitt, the Leader of the House, for a duel to settle a matter which took place in the House of Commons. Mr. Pitt took up the challenge and met Mr. Tierney at Putney Heath. Two shots were fired by the combatants without effect. Previous to taking up the challenge the Leader of the House, Mr. Pitt apprised Speaker, Mr. Addington, of the duel. After two shots had been fired without effect, the Speaker went to the place of the duel and stopped further exchange of shots. So, if there is any case for challenge, the hon. Members concerned must inform me beforehand." (Laughter.)

THE HON. SRI C. SUBRAMANIAM :—" May I point out that if the Hon. Minister had challenged anybody for a duel, it would have been out of order but if he had suggested a duel between two hon. Members, it would not come within the ruling."

MR. SPEAKER :—" But if they took it to their heart! So, in that case they should inform me of the challenge beforehand."

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DR. K. B. MENON :—" Sir, the House also may be informed about it."

12 noon SRI K. VINAYAKAM :—" Sri S. Deivasigamany took the remarks seriously and asked me to come to a duel outside, Sir." (Laughter.)

MR. SPEAKER :—" Is it with long swords or short swords? " (Laughter.)

SRI P. CHELLATHURAI :—" கனம் சபாநாயகர் அவர்களே, ஒரு தகவல் அறிய விரும்புகிறேன். சட்டசபையின் புதிய விதிமுறைகள் பரிசீலனை செய்யப்பட்டு சமீபத்தில் அங்கீகரிக்கப்பட்டிருக்கின்றன. அவைகள் எங்களுக்கு தமிழில் அச்சடித்துக் கொடுப்பதற்கான ஏற்பாடு செய்யப்படுமா என்பதைத் தெரிய விரும்புகிறேன்."

MR. SPEAKER :—" நான் ஏற்பாடு செய்கிறேன்."

SRI R. V. SWAMINATHAN :—" We heard a very interesting ruling that was given by the Chair. I ask you, Sir, suppose I have a feeling to fight a duel against another Member (in fact I am having such a feeling) whether I should give you notice? " (Laughter.)

* SRI S. SWAYAMPRAKASAM :—" I think only with regard to duel with arms, we should give you notice. What about duel in words, Sir? "

MR. SPEAKER :—" Wordy duel will not come in." (Laughter.)

III.—BUSINESS OF THE HOUSE.

DISCUSSION *re* PRIVILEGE MOTION ABOUT INTERCEPTION OF LETTERS BY SPECIAL BRANCH POLICE.

MR. SPEAKER :—" I hope the House would remember the other day Mr. Kalyanasundram gave notice of a motion that his letters were intercepted in the middle, that the same had been delivered to him after a few days and that it constitute a breach of privilege. Before going through the motion, I want to give certain information to hon. Members, regarding the function of the Chair regarding privilege motions. The House should have a clear idea.

" A privilege question is always decided by the House. The House is the final authority. As far as the Speaker is concerned, he simply says, whether a *prima facie* case is made out or not. '*Prima facie*' as you know is a Latin phrase which means 'on the first view'. The House is not bound to accept it when the Speaker says a *prima facie* case is made out. It can decide each case on its own merit. Last time such a thing happened. I said a *prima facie* case was made out but the House decided otherwise.

" It would interest the House to know the views expressed by Sir Gilbert Campion, who is now Lord Campion, the living